



WEB COPY



W.P.No.17446 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17446 of 2023

M.Kugan

... Petitioner

Vs.

1.The Chairman-cum-Managing
Director, Tamil Nadu Generation
and Distribution Corporation
Ltd. (TANGEDCO), No.144,
NPKKR Maaligai, Anna Salai,
Chennai-2.

2.The Superintending Engineer,
Chennai South-I Electricity
Distribution Division,
Tamil Nadu Electricity Board,
K.K.Nagar, Chennai-78.

3.The Junior Engineer, Moovarasampettai
Electricity Distribution Division,
Tamil Nadu Electricity Board,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the respondents herein to
consider, dispose of and pass orders on merits on the representation of the



W.P.No.17446 of 2023

petitioner dated 16.09.2022 to include his name in the list of contract labourers and to absorb him as permanent employee in the respondent board.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.A.P.Venkatesh Prasad
for M/s.T.S.Gopalan & Co.

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner herein had given a representation to the second respondent on 16.09.2022 seeking to identify him as the contract labourer and appoint him in the respondent Corporation permanently. Since the said representation has not yet been considered, the Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way



W.P.No.17446 of 2023

or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct him to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 16.09.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the second respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

14.06.2023
4/5

RS/HVK



WEB COPY



W.P.No.17446 of 2023

M.S.RAMESH,J.

RS/HVK

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

To

- 1.The Chairman-cum-Managing
Director, Tamil Nadu Generation
and Distribution Corporation
Limited (TANGEDCO), No.144,
NPKKR Maaligai, Anna Salai,
Chennai-2.
- 2.The Superintending Engineer,
Chennai South-I Electricity
Distribution Division,
Tamil Nadu Electricity Board,
K.K.Nagar, Chennai-78.
- 3.The Junior Engineer, Moovarasampettai
Electricity Distribution Division,
Tamil Nadu Electricity Board,
Chennai.

W.P.No.17446 of 2023

14.06.2023

4/5